

Serial No. 10/796,697
Art Unit: 1616

REMARKS

Claims 1-4, 6-17, 19-30 and 32-39 are pending and remain rejected. The claims have been amended to exclude components of the prior art discussed by the Examiner in the Office Action dated September 7, 2007.

It is believed that the claims of the application are in condition for allowance. Accordingly, the Examiner is kindly requested to enter the Amendment into the record. A Notice of Appeal is submitted herewith for the purposes of maintaining the present application in the event that the Examiner does not enter the Amendment and/or does not allow the claims.

Rejection of the Claims under 35 U.S.C. Section 103(a)

Claims 2-4, 6-10, 12, 15-17, 19-25 and 39 are rejected as obvious over US Pat. No. 6,586,479 ("Miller").

Claims 2-4, 6-10, 12, 15-17, 19-25 and 39 are rejected as obvious over US Pat. No. 5,538,662 ("Klier").

Claims 1-4, 6-17, 19-30 and 32-39 are rejected as obvious over the combined teachings of US Pat. No. 5, 905,072 ("Capuzzi") and US Pat. No. 6, 586,366 ("Auda").

The rejections are respectfully traversed.

According to the Examiner, the claims reciting "consisting essentially of" do not exclude the amphoteric surfactants of Miller; the additional agents of Klier; and the combination of the anionic surfactants of Capuzzi and the lipophilic coemulsifiers of Auda, respectively, since Applicants have not explained how the inclusion of these components would materially impact the instant invention.

Independent Claims 1 and 14 have been amended to call for a microemulsion which consists of the specified components.

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This closes Claims 1 and 14, and the claims dependent thereon, to the additional components of the prior art cited by the Examiner in the rejections described above.

It is therefore respectfully submitted that Claims 1-4, 6-17, 19-30, and 32-39 are patentable over the prior art and are in condition for allowance.

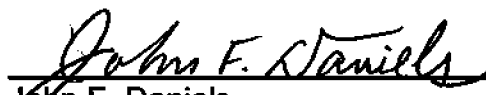
The Examiner is kindly requested to reconsider and withdraw the rejections over the prior art.

It is respectfully submitted that the Amendment places the application in condition for allowance with all issues addressed. The Examiner is kindly requested to enter the Amendment into the record and issue a Notice of Allowance.

If there are any remaining issues, the Examiner is kindly requested to contact the undersigned.

Respectfully submitted,

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Date



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